IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 4721 OF 2004

Mr. Ashok C. Agarwal & anr. ... Applicants

versus

The Union of India & anr. ... Respondents.

...

Mr. A.M. Saraogi, for the Applicants.

Mr. R.Y. Mirza, A.P.P., for Respondent No. 2.

...

CORAM : A.M.KHANWILKAR,J.

22nd November 2004

P.C.:

. Inspite of repeated opportunities given to the Respondents, once again request for time to take instrutions is made by the learned A.P.P. It is not possible to accept this request. From the order passed by the Court below, it appears that statement was made on behalf of Respondent No. 1 that no case is pending against the Applicants. The Applicants, however, apprehend that some case must have been registered with G.B., C.B., C.I.D., Economic Cell, Crawford

Market, Mumbai. However, Counsel for Respondent No. 2 is not in a position to make any statement about the pendency of such case against the Applicants. In the circumstances, this application is disposed of on the following basis.

> The Applicants shall be given 72 hours' notice in case any offence is registered with the G.B., C.B., C.I.D., Economic Cell, Crawford Market, Mumbai, in relation to fabrication of bank guarantees issued by Dena Bank, Branch Office at MMO Advances Department, 1st floor, 17, Near Horniman Circle, Mumbai 400 023, in favour of Food Corporation of India.

. Application disposed of on the above terms.

. Parties to act on the authenticated copy of this order.

(A.M.KHANWILKAR,J.)